

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MERRILL LYNCH INTERNATIONAL,

Plaintiff,

-vs-

XL CAPITAL ASSURANCE INC., et al.,

Defendants.

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XL CAPITAL ASSURANCE INC., et al.,

Counterclaimants,

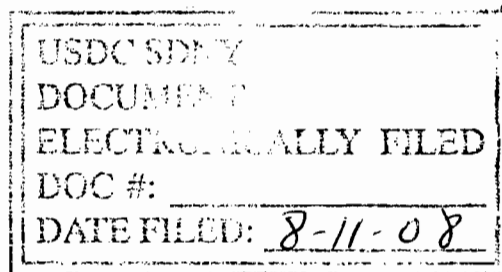
- vs -

MERRILL LYNCH INTERNATIONAL AND
MERRILL LYNCH & CO., INC.,

Counterclaim Defendants.

08 CV 2893 (JSR)

**STIPULATION OF
DISMISSAL WITH PREJUDICE**



IT IS HEREBY STIPULATED AND AGREED that the above-captioned action,
including the complaint and counterclaims, be and hereby are DISMISSED WITH PREJUDICE
and without costs to any party pursuant to Federal Rule of Civil Procedure 41(a).

Dated: New York, New York

August 8, 2008

A handwritten signature in black ink, appearing to read "Jay B. Kasner".

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A handwritten signature in black ink, appearing to read "Peter E. Calamari".

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Attorneys for XL Capital Assurance Inc. and
XLCA Admin LLC as Trustee

50 ORDERED
A handwritten signature in black ink, appearing to be a judge's signature.
8-8-08